

Appl No.: 10/722,619

REMARKS

The Office Action of September 15, 2003 has been carefully considered. Reconsideration of this application and allowance as amended, is respectfully requested.

Claim 32 has been cancelled without prejudice. Claim 33 has been amended to include all limitations of the rejected base claim 32. The proposed amendment places the application in condition for allowance. No new matter is added as a result of the proposed amendment, and support for the amendment is found in the existing claims as well as the specification.

Turning now, to the Final Office Action, claim 32 was rejected under 35 U.S.C. §103(a) as being unpatentable over US 5,984,176 to Koda et al. in view of US 4,618,392 to Uchimura et al., US 5,399,288 to Schroeder, US 5,540,795 to Franklin et al. and US 4,813571 to Slagter. Claim 33 was objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form to include all limitations of the base and any intervening claims. Claims 34 – 44 were indicated as allowable.

In view of the proposed cancellation of claim 32, the outstanding rejection is believed to have been overcome. Insofar as the objection to claim 33 is concerned, Applicants have proposed amending defendant claim 33 to further include all limitations of the foregoing independent claim 32. In light of the proposed amendments, which place the application in condition for allowance, Applicants respectfully request the Examiner's indication of allowance of all remaining claims..

Comments on Statement of Reasons for Allowance

With respect to the Examiner's indication relative to Kou, US 6,027,019, Applicants respectfully urge that Kou is directed toward an entirely distinguishable invention involving a system for monitoring the configuration of component feeders on a placement machine, not to a label feeder. Applicants respectfully submit that the cited patent to Kou, while referenced by the Examiner, has not been relied upon, nor is it pertinent to Applicant's claimed invention .

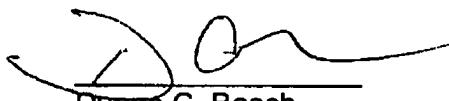
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In view of the forgoing amendments as specified by the Examiner, reconsideration of this application, entry of the proposed amendments after final rejection, and allowance thereof are earnestly solicited.

In the event that additional fees are required as a result of this response, including fees for extensions of time, such fees should be charged to USPTO Deposit Account No. 50-2737 for Basch & Nickerson LLP.

In the event the Examiner considers personal contact advantageous to the timely disposition of this case, she is hereby authorized to call Applicant's attorney, Duane C. Basch, at Telephone Number (585) 899-3970, Penfield, New York.

Respectfully submitted,



Duane C. Basch
Attorney for Applicant
Registration No. 34,545

Basch & Nickerson LLP
1777 Penfield Road
Penfield, New York 14526
(585) 899-3970